

Public Meeting Minutes

Monday May 9, 2022

Those Present: Mrs. Debbie Burrell, Chair
Ms. Joan Aquilino, Board Member
Mr. Chris Glass, Board Member
Ms. Jennifer Keefer, Assistant County Attorney
Mr. Bob Shrum, Alcoholic Beverage Inspector
Mr. Robert Lind, Alcoholic Beverage Inspector
Mrs. Dawn Shugars, Administrator
Mrs. Ashley Kneessi Gay, Administrative Specialist II
Mrs. Heather Flores, Administrative Specialist II
Mrs. Candace Sier, Administrative Specialist
Mrs. Tabitha Vanleeuwen, Administrative Specialist II

A Public Meeting was held virtually and called to order at 8:31am by the Administrator, Dawn Shugars. Introductions and Board overview was shared by Chair, Debbie Burrell. Ashley Kneessi-Gay swore in all participants for today's hearing.

1. Violations

a. Sheetz-Frederick

Thomas Claggett, Gary Zimmerman & Robert Franks JR
For the use of Kwik Shoppers, Inc.
Sales to Minor

- Attendees: Council for Sheetz David Trautman, Cadet Josiah Albaugh
- On February 10, 2022, at approximately 6:45pm, TFC Kevin Carter entered your establishment to browse snacks with a view of the register where he could observe Cadet Albaugh. Cadet Albaugh, entered your establishment, grabbing a Bud Light tall boy can, and went to the register to check out. TFC Carter observed Albaugh pass his license to the cashier, he then provided cash and walked out with the Bud Light tall boy can. The cashier identified as Anthony Robert Callahan stated the Cadet was overage, for he was born in 2002. TFC Carter advised the clerk that it is 2022, which does not make the Cadet 21.
- Plea: Initial Plea was Not Guilty then after hearing the charges changed Plea to Guilty
- Violation History: The license was issued on October 23, 1987. Currently there is no violation history.

MOTION: Ms. Aquilino made a motion for deferred judgment.

SECOND: Mr. Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: Commissioner Aquilino requested staff to verify Alcohol Awareness trained employees.

VOTE: Ms. Aquilino – Aye

Mr. Glass – Aye
Mrs. Burrell –Aye

The vote was unanimous ***Ayes 3, Nay-o***
(Motion passed)

2. NEW APPLICATION

a. Application #260315

DECISION

Unique Food & Beverage
Greg Barba & Erik Scheidhauer
For the use of Unique Food & Beverage Inc.
Class B, On Sale, Beer, and Wine Stadium license

- Pending items are ABLE Training, Background History, Fire Marshal, Inspector's Report, Occupancy Permit, Retail Sales Tax License and Tax Release.
- Inspectors Report: Inspector Robert Lind went to the establishment on April 22, 2022, to post the notice of hearing. He met with the manager. They were a previous licensee and will not be changing the operation of the business. They meet all requirements of the Liquor Board.
- Administrator Shugars stated this establishment was previously licensed. The establishment is now under new ownership. The operation will remain the same. She recommends a conditional approval date of 30 days.
- There was no public comment.

MOTION: Ms. Aquilino made a motion for conditional approval for Unique Food & Beverage until May 31, 2022. Pending all rules, regulations and laws of the State, County, municipalities and Liquorboard are met. The Liquor Board staff will monitor and release the license upon completion of all requirements. It is strongly suggested that all licensees and employees serving or selling alcohol attend the Frederick County or State approved alcohol awareness program. Ms. Aquilino added she is referring to an alcohol awareness class not a bartending class.

SECOND: Mr. Glass concur and second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Ms. Aquilino – Aye
Mr. Glass – Aye
Mrs. Burrell –Aye

The vote was unanimous ***Ayes 3, Nay-o***
(Motion passed)

3. Transfer

A 1 Choice
Clarence Rocky Roberio
For the use of Stellarose, LLC
Transfer from: Mitesh Patel and Vijay Patel
For use of Raj Kishan LLC
Class A, Off Sale, Beer, Wine, and Liquor License

- Pending items are ABLE Training, Contract of Sale, Fire Marshall, Health Dept, Inspectors Report, Deed, Occupancy Permit, Retail Sales Tax License, Tax Release, Trader's License, and Zoning.
- Inspectors Report: Inspector Robert Lind went to the establishment on April 22, 2022, to post the notice of hearing. He met with the employees who explained there would not be any changes in the operation of the business. They meet all requirements of the Liquor Board.
- There was no public comment.

MOTION: Ms. Aquilino made a motion for conditional approval for A 1 Choice until July 31, 2022. Pending all rules, regulations and laws of the State, County, municipalities and the Liquorboard are met. The Liquor Board staff will monitor and release the license upon completion of all requirements. It is strongly suggested that all licensees and employees serving or selling alcohol attend the Frederick County or State approved alcohol awareness program. Ms. Aquilino added she is referring to an alcohol awareness class not a bartending class.

SECOND: Mr. Glass concur and second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Ms. Aquilino – Aye
Mr. Glass – Aye
Mrs. Burrell – Aye

3. GENERAL PUBLIC COMMENT

- a. There was no public comment.

4. STAFF MEETING

- a. Legislation Update-The Alcoholic Beverage Act has moved to the Governor for signature. The Act is named after Senator Young to honor his retirement. All the items in the bill passed except Residency. Residency is a national issue and will be discussed at the MALA conference on May 19, 2022. Administrative Shugars invited counsel Jennifer Keefer to attend.
- b. Renewal Update- Frederick was one of the only counties that had all tax holds released by the last day of the licenses to be issued. Out of 350 renewals, all renewed with no fines. Administrative Shugars recognized the staff for their team effort in getting all renewals in and processed.
- c. SAS Grant Discussion on expectations – A Grant was approved through the State of MD for the next 2 years with an expectation of 80% of licensee's being Alcohol Awareness trained.

Administrator Shugars has been working with the Health Department on various initiatives to promote training and compliance.

- d. Regulation Update and Discussion- A Workshop is scheduled for May 23, 2022 at 9 a.m. The PRC has set a goal to have this project completed and updated before the June 13 hearing. The new regulation book will not be effective until July 1, 2022.
- e. Census Discussion and Decision-Administrator Shugars and Counsel Keefer will meet to discuss more detailed Census procedures. The Board agreed that the presented concept for the form that will be utilized on the website is acceptable.
- f. Adopt April 11, 2022, Minutes

MOTION: Ms. Aquilino made a motion to accept the April 11, 2022, minutes with corrections.

SECOND: Mr. Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Ms. Aquilino – Aye
Mr. Glass – Aye
Mrs. Burrell –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

- g. General public comment-NONE

5. ADJOURN

MOTION: Mr. Glass made a motion to adjourn

SECOND: Ms. Aquilino second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Ms. Aquilino – Aye
Mr. Glass – Aye
Mrs. Burrell –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

MEETING ADJOURNED: 10:25am

Respectfully submitted,
Heather Flores, Administrative Specialist II
FREDERICK COUNTY LIQUOR BOARD

- Next Scheduled Hearing June 13, 2022